

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:02-CR-105

v.

HON. DAVID W. McKEAGUE

RANDY G. STRIEBEL,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DENYING § 2255 MOTION**

Judgment of sentence having entered in this case on March 17, 2003, sentencing Defendant Randy G. Striebel to a prison term of 151 months; and

Defendant having exhausted his direct appellate rights and having now moved the Court to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255; and

The motion having been reviewed by the United States Magistrate Judge pursuant to 28 U.S.C. § 636(b); and

The magistrate judge having on April 11, 2005, issued a 7-page report and recommendation, recommending that defendant's motion to vacate, set aside, or correct the sentence be summarily denied; and

The report and recommendation having been duly served on the parties and no objection having been filed within the time permitted by law; and

The Court having duly considered the report and recommendation and finding it to be well-reasoned and in accord with applicable law; now therefore,

IT IS HEREBY ORDERED that the report and recommendation is **ADOPTED** as the opinion of the Court; and

IT IS FURTHER ORDERED, consistent with the report and recommendation, that defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 is **DENIED**.

Dated: June 6, 2005

/s/ David W. McKeague
DAVID W. McKEAGUE
UNITED STATES DISTRICT JUDGE